

**IN THE UNITED STATES DISTRICT COURT FOR
THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION**

UNITED STATES OF AMERICA
Plaintiff,

v.

EDELIEL ESANULSANCHAZE
RAINEY
Defendant.

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NO. 2:24cr83

NOTICE OF NON-APPEARANCE AND SUPPLEMENTAL DECLARATION

TO THE HONORABLE COURT:

COMES NOW Antoinette N. Harris, counsel of record, and files this Notice of Non-Appearance & Supplemental Declaration to preserve the record, respectfully object to the Court's June 4, 2025 Order (ECF No. 88), and provide formal notice of her inability to appear for the hearing set on June 6, 2025, at 2:00 PM.

1. Undersigned counsel hereby provides formal Notice of Non-Appearance for the June 6, 2025, hearing. The Court was previously notified, via Motion for Continuance filed on June 3, 2025, of undersigned counsel's unavailability due to a scheduling conflict with a trial set before Judge Tammy Kemp in the 204th Judicial District Court of Dallas County, Texas, beginning Monday, June 9, 2025.

2. Counsel is actively engaged in trial preparation, legal briefing, and witness coordination in that matter. Out of respect for the attorney-client privilege and consistent with her ethical obligations under the Texas Disciplinary Rules of Professional Conduct, counsel cannot disclose the identity of the client or details of the representation beyond what is necessary to preserve the

record. Disclosure of such information to justify a continuance would violate her duty of loyalty and confidentiality.

3. Counsel reaffirms that this non-appearance is not intended as a waiver of any legal position or submission. Rather, it reflects an unavoidable scheduling conflict previously disclosed and ignored. Any inference drawn from her absence would constitute a deprivation of due process and be inconsistent with the record.

4. Counsel was fully prepared to appear for the hearing originally set on June 3, 2025, and had sufficient notice to make appropriate professional and personal arrangements. However, when the Court unexpectedly moved the hearing to June 6, the new date directly conflicted with a trial matter and prior obligations. Counsel had no reason or obligation to proactively disclose every professional or personal obligation she held for later dates.

5. Counsel reasserts and incorporates all objections stated in the attached declaration regarding the denial of the Motion for Continuance, and respectfully preserves all rights for appellate review.

6. In addition to professional duties, counsel also has personal family obligations requiring attention during the same time period. These matters are private, and respectfully not disclosed herein, as such disclosure is not a prerequisite to receive fair consideration from the Court.

7. Counsel respectfully submits that the record now reflects a troubling reality: she is subject to punishment both for fulfilling her ethical and constitutional duty to advocate for her client and for attempting to withdraw from this matter in a professional and transparent manner. Each filing—whether aimed at zealous representation or designed to deescalate her role—has been met with rejection or sanction. The result is an untenable and retaliatory posture by the Court that undermines not only the fairness of these proceedings but also the ability of counsel to practice

without fear of reprisal. This pattern is respectfully objected to and preserved in full for appellate review.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 4, 2025, a true and correct copy of the foregoing was served via electronic mail and CM/ECF to:

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Antoinette N. Harris